

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JACK P. KATZ, on behalf of himself and all
others similarly situated,

Plaintiff,

V.

ERNEST A. GERARDI, JR., *et al.*,

Defendants.

Case No. 08-cv-04035
Hon. John W. Darrah

PLAINTIFF'S UNOPPOSED MOTION TO EXCEED PAGE LIMIT

Plaintiff Jack Katz, by his attorneys, respectfully moves this Court for an order granting Plaintiff leave to file a Reply Memorandum of Law in Further Support of Plaintiff's Motion to Remand that is in excess of the fifteen page limit set forth in Local Rule 7.1. In support of this motion, Plaintiff states as follows:

1. Plaintiff filed his Motion to Remand on July 23, 2008. (Dkt. No. 18.)
2. On August 1, 2008, certain Defendants filed an “Unopposed Motion for Leave to File Brief Exceeding 15 Pages”. (Dkt. No. 26.) The Court granted that motion on August 4, 2008. (Dkt. No. 27.)
3. On August 25, 2008, Defendants filed a twenty-page Memorandum of Law in Opposition to Plaintiff’s Motion to Remand (“Opposition Memorandum”). (Dkt. No. 33.)
4. Defendants’ Opposition Memorandum raises several new and important issues of law and fact relating to Plaintiff’s Motion to Remand, including Plaintiff’s standing to pursue claims under the Securities Act of 1933, the legislative intent behind Section 22(a) of that Act barring removal of such claims, and the alleged effect of the Class Action Fairness Act on that

bar. In order to respond fully to all of Defendants' arguments, Plaintiff will need an additional five pages in excess of the fifteen page limit allowed under Local Rule 7.1, a total of twenty pages.

5. Counsel for Plaintiff has conferred with counsel for Defendants regarding this motion. Defendants' counsel Jeffrey S. Davis does not oppose this requested extension of the page limitation.

6. Plaintiff believes this requested page limit extension is necessary to address each issue raised in Defendants' Opposition Memorandum fully. Plaintiff brings this motion in good faith, and will make every effort to keep his Reply as concise as possible.

WHEREFORE, Plaintiff respectfully requests that this Court grant his Unopposed Motion to Exceed Page Limit and permit Plaintiff to file a Reply of no more than twenty pages.

Dated: August 29, 2008

JACK P. KATZ, individually and on behalf
of all persons similarly situated,

By: /s/ Christopher J. Stuart

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*Attorneys for Plaintiff Jack P. Katz
and the Proposed Class*

CERTIFICATE OF SERVICE

I, Christopher J. Stuart, hereby certify that a copy of the foregoing *Plaintiff's Unopposed Motion to Exceed Page Limit* was electronically filed. Those attorneys who are registered with the Electronic Filing System may access these filings through the Court's System, and notice of these filings will be sent to these parties by operation of the Court's Electronic Filing System. Those attorneys who are not registered with the Electronic Filing System will be served by First Class United States Mail, with proper postage prepaid, on the 29th day of August 2008.

Dated: August 29, 2008

/s/ Christopher J. Stuart

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